

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
STEPHANIE A. GALLAGHER  
UNITED STATES DISTRICT JUDGE  
MDD\_SAGchambers@mdd.uscourts.gov

101 WEST LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
(410) 962-7780  
Fax (410) 962-1812

December 13, 2019

LETTER TO MS. KILEL AND COUNSEL

Re: Kilel v. United States of America, et al., Civil No. SAG-19-1469

Dear Ms. Kilel and Counsel:

On May 20, 2019, Plaintiff Beatrice Kilel, who appears *pro se*, filed a Petition for Writ of Mandamus seeking to compel the Government to adjudicate her Form I-485 Application to Register Permanent Residence or Adjust Status. I am in receipt of the Government's Motion to Dismiss for Lack of Jurisdiction, ECF 20, which was filed on November 22, 2019. The Clerk mailed a Rule 12/56 letter to Plaintiff on November 25, 2019, advising her of the potential consequences of a failure to respond to the Government's motion. Nevertheless, Plaintiff did not file a substantive response.<sup>1</sup>

The Government's motion asserts that Plaintiff's petition is moot, because her Form I-485 application was adjudicated on July 16, 2019, and was denied. ECF 20 ¶ 2. Although Plaintiff's petition also seeks to require the Government to "adjudicate Beatrice's five (5) adjustment of relative petitions within thirty (30) days," ECF 1 at 21, the Government has submitted a declaration attesting that because Plaintiff's application was denied, her children are ineligible to apply as derivative beneficiaries. ECF 20-5 ¶¶ 2, 3. In addition, according to the Government, no petitions or applications, for Plaintiff or her children, are currently pending. *Id.* ¶ 4. Because she did not respond to the motion, Plaintiff has not submitted any evidence to the contrary. Accordingly, the Government's unopposed motion to dismiss the case as moot will be GRANTED. *See Friedman's Inc. v. Dunlap*, 290 F.3d 191, 197 (4th Cir. 2002) (A case becomes moot "when the claimant received the relief he or she sought to obtain through the claim").

Despite the informal nature of this letter, it should be flagged as an opinion. An implementing Order follows.

Sincerely yours,

/s/

Stephanie A. Gallagher  
United States District Judge

---

<sup>1</sup> On December 12, 2019, Plaintiff filed a form "Consent by Self-Represented Litigant to Receive Notices of Electronic Filing," ECF 22, but it made no reference to Defendant's pending motion.